

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

UNITED STATES OF AMERICA)

vs.)

TITO FRANCONA JONES,)

Defendant/Movant.)

1:10-CV-8028-VEH-TMP

1:08-CR-197-VEH-TMP

ORDER

On September 7, 2011, the magistrate judge filed his report and recommendation in the above-styled cause, recommending that this motion to vacate or set aside sentence filed pursuant to 28 U.S.C. § 2255 be denied and dismissed with prejudice. No objections have been filed.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the report is due to be and hereby is **ADOPTED**, and the recommendation is **ACCEPTED**. Consequently, the motion to vacate or set aside sentence filed pursuant to 28 U.S.C. § 2255 in the above-styled cause is due to be and the same is hereby **DENIED** and **DISMISSED WITH PREJUDICE**.

DONE this the 27th day of September, 2011.


VIRGINIA EMERSON HOPKINS
United States District Judge